IN THE HIGH COURT OF JUDICATURE FOR RAJASTHAN
AT JAIPUR BENCH, JAIPUR

ORDER

SB CRIMINAL MISC. IIND BAIL APPLICATION NO.7705/2006
Batti Lal
V/s
State of Rajasthan
DATE OF ORDER : : 5.12.2006

PRESENT
HON'BLE MR. JUSTICE P.S. ASOPA

Mr.Ali Mohd. Khan, for the applicant.
Mr.B.L. Avasthi, Public Prosecutor.

Heard learned counsel for the applicant as well as the learned Public Prosecutor.

This is second bail application u/s 439 Cr.P.C. arising out of FIR No.50/2006 registered at Police Station Malarna Doongar, Distt. Sawai Madhopur for offence u/s 120B, 147, 149, 498-A, 302 and 201 IPC. Earlier bail application – S.B. Criminal Misc. Bail Application No.3727/2006 was dismissed as withdrawn on 21.9.2006 with liberty to move fresh bail application after statement of the informant is recorded.

Submission of the counsel for the applicant is that statement of the informant could not be recorded. However, statements of other two

witnesses namely Babulal Meena and Bal Mukand, close relatives of the deceased have been recorded and nothing adverse to the applicant has been stated by them. Counsel therefore submits that the applicant may be granted bail.

Learned Public Prosecutor, on the other hand, opposed grant of bail to the applicant.

Without expressing any opinion on the aforesaid submissions on merits and demerits of the case and taking into consideration the entire facts and circumstances of the case for the purpose of bail, I am inclined to grant bail to the applicant under Section 439 Cr.P.C.

It is, therefore, ordered that applicant Batti Lal S/o Shri Sampat, by caste Meena, resident of Badolas, P.S. Malarna Doongar, Distt. Sawai Madhopur shall be released on bail, provided he furnishes a personal bond in the sum of Rs.50,000/- (Rupees fifty thousand only) together with two sureties in the sum of Rs.25,000/- each to the satisfaction of the learned trial court for his appearance before that Court as and when called upon to do so during pendency of the trial against him arising out of FIR No.50/2006 registered at Police Station Malarna

Doongar, Distt. Sawai Madhopur.

(P.S. ASOPA) J.

ummed/-